



Appeal Decision

Site visit made on 4 February 2022

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2022

Appeal Ref: APP/D1265/W/21/3280624

6 Avon Road, West Moors, Ferndown, Dorset BH22 0EG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr G Newbury against the decision of Dorset Council.
 - The application Ref 3/21/0507/FUL, dated 4 March 2021, was refused by notice dated 26 July 2021.
 - The development proposed is to sever plot and erect bungalow with associated parking following the demolition of garage and create new vehicular access to existing dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I was satisfied that at my site visit I was able to see and appreciate the appeal site and the implications of the proposed development from Avon Road. Consequently, I consider that I have all the necessary information to make my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Policy HE2 of the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014) (the Core Strategy) requires development of high quality design that reflects and enhances areas of recognised local distinctiveness. The Policy states that in Special Character Areas (SCAs) development must respect the identified features and characteristics.
5. The Special Character Areas Supplementary Planning Guidance No 27 (2005) (the SPG) describes the characteristics of each SCA and sets criteria for assessing development within them. The SPG is of some age, predates the Core Strategy and also it appears some in-fill development has occurred since the publication of the SPG within these areas. Nevertheless, the document provides a helpful analysis of the important characteristics of the SCAs and is a good starting point to understand and assess the impacts of proposals on the local distinctiveness and the character of the areas.
6. In this respect, the approach of Policy HE2 of the Core Strategy and the related SPG is broadly consistent with the policies in the National Planning Policy Framework (the Framework) which includes that decisions should ensure that

developments add to the overall quality of the area, are visually attractive as a result of good layout and are sympathetic to local character.

7. The appeal site lies within the Glenwood Road/Moorlands Road SCA, and in particular the section associated with Glenwood Road. The SPG describes this SCA as being a mature, urban area of mostly pre First World War family houses placed in large sylvan plots. It is explained that there are two storey villas, with a consistent scale, proportions and detailing, but of varied elevation treatment which face onto established streets. The SPG explains that this SCA has streets that are mostly straight and dominated by mature trees and boundary hedges that conceal, in varying degrees, the properties behind. Having visited the area, I consider that this provides a fair commentary on key aspects that help to define the character of this SCA.
8. The appeal site lies within Avon Road, one of the roads within this SCA. This linear road consists of predominantly two storey detached properties in reasonable sized plots, often set behind front boundary hedging and trees. The road has a mature and verdant character and displays many of the positive features which have been identified for this SCA.
9. 6 Avon Road is a substantial, two storey detached dwelling set within the largest plot within the road. It has pleasant proportions with double height bay windows and a generally vertical emphasis to the windows. It is partially screened by the hedge and other vegetation along the frontage. The position of the vehicular access to the side allows an uninterrupted run of hedging along most of the front boundary. The house is positioned in the plot with some distance to the front and especially to the southern boundary and this provides a fairly spacious feel to the site. The appearance of the building within its generally verdant setting makes a positive contribution to the character of this part of the road and thereby the wider SCA.
10. The proposal would involve the demolition of a modest sized garage and the erection of a single storey dwelling. The dwelling would be fairly functional in appearance with little effective detailing, variation or locally distinctive character to the design. Together with the elements of the design that would give some horizontal emphasis to the front windows, the position of the virtually flush side door which would not be immediately legible, and the plan form of the dwelling, the overall composition would make little reference to the characteristic form and detailing of the more positive dwellings found in the surroundings. In particular, the proposed dwelling, although with similar external materials, would be at odds with the proportions and detailing of No 6. Overall, the scheme would not echo the scale, massing and height of the existing dwellings in the area as recommended in the SPG for this SCA.
11. Furthermore, in terms of the plot, the site would appear to be narrower than most others in Avon Road and the dwelling would be located further back in the plot than is typical within the road. The narrowness of the plot, with the dwelling coming reasonably close to the side boundaries would, in association with the appearance of the dwelling and the setback position, combine to produce a development that would appear discordant with the general pattern and local identity of other housing in Avon Road. The presence of the housing to the broadly south does not lead me to a different view on this issue. This is, in particular, because with 4 Avon Road, which is the property next to the

access to the proposed dwelling, it is sited on a wider plot and has some elements that assimilate its appearance within the street scene.

12. I have carefully considered all the arguments made in support of the appeal scheme. However, I am not persuaded that the low key design and appearance of the proposed dwelling would effectively be read within the road as an outbuilding to No 6, even if positioned in a similar location as other secondary structures in the area and with the proposed landscaping in front of the new building. This is because the proposed dwelling would be quite tight to its side boundaries, some of which would have 1.8m fencing, and it would have its own vehicular access and parking area. The existing dwelling would be provided with a new access, including the removal of a section of the distinctive boundary hedge, and the overall site would appear and function as two separate dwellings.
13. It may be the case that a similarly sized outbuilding to the proposed dwelling could be erected within this part of the garden under permitted development rights. However, such a building would be required to function in an ancillary capacity to the main house. It would also not need a separate access, would not involve the subdivision of the plot with the associated boundary treatments and a separate on-site car parking area would not be formed. There would also not be the additional activity associated with another independent dwelling. Accordingly, the effect on the area from the erection and use of an outbuilding as suggested would be materially different compared with the provision of a separate dwelling. I therefore attribute limited weight to the comparison of the scheme with what could be possible to erect as an outbuilding under permitted development rights.
14. I also appreciate the case made that the front hedge could be removed without consent and another access provided. However, such works would open up public views of the frontage to the main house and potentially duplicate the access to the property. I am not satisfied by the evidence that there is a reasonable intention or necessity for this to take place were the plot to remain in use as a single dwelling. Again this is a matter to which I attach limited weight.
15. At my site visit, I saw the two bungalows in Glenwood Road which had been permitted at appeal in 2018¹. These bungalows are clearly visible in some views from the road but they have a pleasant and well-articulated design and have integrated successfully within the street scene and this part of the SCA. This would not be the case with the present appeal proposal and therefore I attach the circumstances that led to approval at the Glenwood Road site limited weight in support of the present appeal.
16. Drawing all these matters together, the area has been identified as one with a distinctive character which it is important to protect. The policy approach does not prevent in-fill development but requires any scheme to respect the identified features and characteristics of the SCA. In this case, for the reasons explained, the scheme would not be sympathetic to the local character and the pattern of development within the SCA. Even small changes can erode the local distinctiveness of an area and the present scheme would diminish the contribution that the site makes to this part of Avon Road and the defined qualities of the SCA.

¹ APP/U1240/W/17/3177642

17. In the light of the above analysis, I conclude that the proposal would harm the character and appearance of the area. It follows that the development would conflict with Policy HE2 of the Core Strategy, the SPG and the Framework which seek, amongst other things, that the design of new development must be of a high quality, reflecting and enhancing areas of recognised local distinctiveness.

Conclusion

18. The scheme would provide a small boost to housing supply on a windfall site and make effective use of the land. The scheme could be delivered by a small builder adding to the overall mix and offer of housing in the area. There would be economic and social benefits during construction and in subsequent occupation. The dwelling would be located within a fairly easy walking distance of a range of services and facilities, and would be near bus routes. The site is therefore in a generally accessible location within the built up area. The development could be delivered without affecting any trees and could be conditioned to provide a net improvement to biodiversity on the site. These would all be benefits of the scheme, however, as only one additional dwelling would be delivered, I attribute the cumulative benefits of the proposal limited weight.
19. On the other hand, the scheme would unduly harm the character and appearance of the area, which has been identified for its important characteristics. This harm would result in conflict with a key policy of the development plan and thereby, with the development plan as a whole. This is a matter to which I afford substantial weight. It follows that the identified harm would not be outweighed by the benefits.
20. For the reasons given above, there are no material considerations that indicate the proposal should be determined otherwise than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

David Wyborn

INSPECTOR